

IN THE HIGH COURT OF BOMBAY AT GOA

APPEAL FROM ORDER NO. 45 OF 2004

ANTONIO BRAGANCA AND ANR.,

....Appellants

Versus

PEDRO JOAO BRAGANCA AND 4 ORS.,

....Respondents

Mr. M. B. D'Costa, Senior Advocate with Mr. J. A. Lobo, advocate for the appellants.

Mr. S. G. Dessai, Senior Advocate with Mr. S. Dessai, advocate for respondent nos.1 & 2.

Mr. E. P. Lobo, advocate for respondent no.3.

Coram:- S.S. PARKAR, J.

Date:- 3rd August, 2005

P.C.

Heard both sides at length and perused the impugned Order. By consent of both sides who are the main contesting parties to the suit in the trial Court, this appeal can be finally disposed of by passing the following Order, without prejudice to the rights and contentions of either side:-

The dividends payable by the U.T.I. on the units held in the names of the appellant no.1/plaintiff no.1 and the respondents no.1 and 3/defendants no.1 and 3, shall be deposited directly by the U.T.I. in Savings Account No. B/49 maintained in the respondent no.4 Bank in the joint names of appellant no.1/plaintiff no.1 and respondent nos.1 and 3/defendants no.1 and 3. None of the joint holders of the said Bank account shall be entitled to withdraw any amount from the said account till the hearing and final disposal of the Specil Civil Suit no.11/2000/A. If the units held by plaintiff no.1 and defendants no.1 and 3 have matured under any scheme, the amount due to the parties shall also be deposited by the U.T.I. in the aforesaid Bank account. Respondent no.4 Bank shall invest the amount lying and credited in the above account in Fixed Deposit every six months until further orders.

The aforesaid arrangement shall continue until further orders that may be passed by the trial Court, at the time of the disposal of the Special Civil Suit No.11/2000/A pending in the Court of the Civil Judge, Senior Division, Panaji.

The trial of the Special Civil Suit No.11/2000/A is expedited and is directed to be disposed of as early as possible, preferably by the end of August, 2006.

This Appeal shall stand disposed of accordingly.

The UTI and the respondent no.4 Bank, shall act on the production of certified copy of this Order.

Issue of c.c. is expedited.

S.S. PARKAR, J.